

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RDI OF MICHIGAN, LLC,

Plaintiff,

vs

Case No: 11-13866
Honorable Victoria A. Roberts

MERIT INDUSTRIES, INC., ET AL,

Defendants.

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ORDER

Plaintiff filed a Motion for Rule 11 Sanctions (Doc. #4). Defendants responded, arguing that Plaintiff failed to comply with the “safe harbor” provisions of FRCP 11(c)(2). Plaintiff’s reply came in the form of a motion to dismiss its Rule 11 Motion; Plaintiff concedes it failed to give Defendants the requisite notice under FRCP 11 (c)(2) to take corrective action.

Plaintiff’s Motion to Dismiss is deemed a voluntary withdrawal of the Rule 11 Motion; the Court allows Plaintiff to Withdraw its Rule 11 Motion.

IT IS ORDERED.

/s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: October 27, 2011

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on October 27, 2011.

s/Linda Vertriest
Deputy Clerk